



May 23, 2002



**Box DAC**

Assistant Commissioner for Patents  
Washington, D.C. 20231

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A LIMITED LIABILITY PARTNERSHIP

JONATHAN T. KAPLAN  
PARTNER  
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#3

Re: U.S. Non-Provisional Patent Application  
Application No. 10/046,220 Filed: January 16, 2002  
Title: **METHOD AND APPARATUS FOR FORMALLY  
CONSTRAINING RANDOM SIMULATION**  
Inventors: James H. Kukula, *et al.*  
Our Ref: 06816.0036.NPUS01

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Petition in Response to Notice of Omitted Items;
2. Postcard receipt, date-stamped 1/16/02;
3. Notice to File Missing Parts of Nonprovisional Application combined with Notice of Omitted Items;
4. Drawing Sheet Figure 5E;
5. Our Check No. 369301 for \$130.00 to cover Petitions to the Commissioner under 37 CFR 1.17(h); and
6. Return postcard.

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No.08-3038 referencing docket number **06816.0036.NPUS01**.  
*A duplicate copy of this letter is enclosed.*

Respectfully submitted,

Jonathan T. Kaplan  
Registration No. 38,935

Enclosures

**RECEIVED**  
MAY 24 2002

OFFICE OF PETITIONS



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/046,220	01/16/2002	James Herbert Kukula	06816.0036.NPUS.01

22930  
HOWREY SIMON ARNOLD & WHITE LLP  
BOX 34  
1299 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004



CONFIRMATION NO. 4032  
FORMALITIES LETTER



\*OC000000007559330\*

Date Mailed: 02/28/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

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MAY 24 2002

FILED UNDER 37 CFR 1.53(b)

OFFICE OF PETITIONS

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The following item(s) appear to have been omitted from the application:

- Figure(s) Fig 5E described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of

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deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

B. Hebert  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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MAY 24 2002  
OFFICE OF PETITIONS

Inventor:	James H. Kukula, et al.	Date:	January 16, 2002
Appln No.:	60/262,488	Group Art.:	TBD
Filing Date:	HEREWITH	Examiner:	TBA
For:	METHOD AND APPARATUS FOR FORMALLY CONSTRAINING RANDOM SIMULATION	Atty. Docket:	06816.0036. NPUS. 01

*Box New Applications*  
Assistant Commissioner of Patents and Trademarks:

*Please place the Patent Office receipt stamp hereon to acknowledge receipt of the following:*

1. New Utility Non-Provisional Patent Application Transmittal Letter (in duplicate);
2. PTO SB/05;
3. PTO SB/35;
4. PTO 1082;
5. Patent Application comprising 52 pages of specification; 9 pages of claims and a 1-page abstract; and 50 sheets of drawings (Figures 1-3, 4A-4K, 5A-5E, 6A-6J, 7A-7B, 8A-8O, 9, 10, 11 and 12);
6. Unexecuted Combined Declaration and Power of Attorney;
7. Check No. 006131 in the amount of \$1,392.00 to cover basic filing and extra claim fees; and
8. Two return postcards.

Jonathan T. Kaplan  
Registration No. 38,935

Return File to: Jonathan T. Kaplan  
Room 612

